

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VISUAL INTERACTIVE PHONE)	
CONCEPTS, INC.,)	
)	
Plaintiff/Counterclaim-Defendant,)	
)	Civil Action No. 1:11-cv-05289
v.)	
)	
UNITED STATES CELLULAR)	Judge Elaine E. Bucklo
CORPORATION,)	
)	
)	
Defendant/Counterclaim-Plaintiff.)	

**AGREED MOTION TO STAY CASE DEADLINES AND TO SET A
BRIEFING SCHEDULE ON U.S. CELLULAR’S MOTION TO STRIKE**

Defendant United States Cellular Corporation (“U.S. Cellular”) has filed a Motion To Strike Plaintiff’s Infringement Contentions And To Dismiss Plaintiff’s Claim Of Infringement (the “Motion”). The parties have agreed to the following briefing schedule:

- Plaintiff’s opposition: December 5, 2014
- U.S. Cellular’s reply: December 19, 2014

The parties have also agreed, pending approval of the Court, to stay certain upcoming deadlines pending the Court’s resolution of the Motion. Specifically, the parties have agreed to stay the following deadlines set forth in the operative Fifth Amended Scheduling Order:

Event	Deadline
Final Noninfringement, Enforceability and Validity Contentions (LPR 3.2)	11/10/2014 ¹
Exchange of Proposed Claim Terms to be Construed along with Proposed Constructions (LPR 4.1a)	11/12/2014
Meet and confer to select 10 terms to be presented to Court for Construction (LPR 4.1b)	11/19/2014

¹ The Fifth Amended Scheduling Order provides that U.S. Cellular’s non-infringement contentions were due October 29, 2014. (Dkt. No. 115.) However, the parties agreed to a short extension of the deadline for VIPC’s final infringement contentions and a commensurate extension of the deadline for U.S. Cellular’s non-infringement contentions. U.S. Cellular’s non-infringement contentions are currently due November 10, 2014.

Initial Close of Fact Discovery (LPR 1.3)	12/9/2014
Opening Claim Construction Brief by party opposing infringement and Joint Appendix (LPR 4.2a)	12/16/2014
Responsive Claim Construction Brief by party claiming infringement (LPR 4.2c)	1/21/2015
Reply Claim Construction Brief by party opposing infringement (LPR 4.2c-d)	2/12/2015
Joint Claim Construction Chart and Status Report (LPR 4.2f)	2/19/2015

(Dkt. No. 115.) The parties agree that fact discovery is not stayed. The Fifth Amended Scheduling Order does not set a claim construction hearing date or a trial date. (*See id.*) In the event that the Court denies the Motion in its entirety, the parties will submit an amended scheduling order that includes a deadline for final non-infringement contentions 21 days following entry of the Court's Order on the Motion. In the event that the Court denies or grants the Motion in part, the parties will submit an amended scheduling order that includes a deadline for final non-infringement contentions 21 days following VIPC's service of infringement contentions, if and as required by any Order on the Motions. Accordingly, the parties respectfully request the Court enter an order adopting the proposed briefing schedule and staying the deadlines enumerated above pending resolution of the Motion.

Dated: November 6, 2014

Respectfully submitted,

UNITED STATES CELLULAR
CORPORATION

By: /s/ Robert D. Leighton
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